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November 2, 2007

VIA FACSIMILE 202-789-6886 AND FED EX

United States of America
Postal Regulatory Commission
Secretary and Chief Administrative Officer,
Steven W. Williams
901 New York Ave NW
Suite 200
Washington, D.C. 20268-0001

C2008-1

RE: Mr. Michael Hammond
1 Stark Highway South
Dunbarton, NH 03046

Dear Secretary Williams:

Enclosed please find the Complaint of Mr. Michael Hammond as well as related correspondence in reverse chronological order. As of this filing the Goffstown Post Office is not responding to his/my complaints. Please direct all correspondence to my office. Thanking you in advance for your assistance in this matter.

Very truly yours,


Penny S. Dean

PSD/jwm
Enclosures

CC: client

See Certificate of Service

United States of America
Postal Regulatory Commission
901 New York Ave NW
Suite 200
Washington, D.C. 20268-0001

Complaint of Michael Hammond

Cause Number: C2008-1

I. Complainant Name and Address:

Name: Mr. Michael Hammonnd
1 Stark Highway South
Dunbarton, NH 03046

Current Mailing Address: see above but please contact via my Attorney, Penny S. Dean, at 59 Warren Street, Concord, NH 03301 as the Goffstown Post Office has refused to deliver my mail for months now and continues to return or destroy my mail as of this filing.

II. Jurisdiction:

The United States Postal Commission has jurisdiction pursuant to 39 United States Code (also "U.S.C.") Section 3662, because Complainant is not receiving postal service in accordance with 39 U.S.C. Sections [101]; 401 (10); 403(a) and (b); 3621, and 3661 (a). This complaint concerns the Goffstown, New Hampshire's postal personnel's decision(s) to deny the delivery of mail to Michael Hammond's home mailbox after decades in the current location and to destroy Mr. Hammond's mail, without proper notification, and returning his mail marked "unclaimed" or "refused" without due process, without proper notification in compliance with Postal Regulations. This refusal to deliver mail was timed by the Goffstown Post Office to occur during the Christmas 2006 season when the Goffstown Postal Service knew that Christmas would be

ruined for Michael Hammond, and that all of his friends and family would understandably worry and be confused by the return of their cards, letters and parcels sent to Michael Hammond. This matter is not currently before any Administrative Law Judge or judicial officer of the Postal Services; however, multiple letters of complaint have been made to the Goffstown Postmaster, Marc A. Richer to no avail. The most recent communication has been substantively ignored.

III. Facts of the Case

1. Michael Hammond is a Dunbarton, New Hampshire resident* (also "Complainant") [dis] served by the Goffstown, New Hampshire, 03045 United States Post Office.
2. Complainant is domiciled in Dunbarton and a Citizen of the State of New Hampshire.
3. Prior to December 2006, Mr. Hammond had received delivery of his mail in his current mailbox at its current location for the 15 years Mr. Hammond has resided at his current address.
4. Since on or about December 2006 the Goffstown Postmaster has unilaterally and unjustifiably withheld, destroyed and refused and returned Mr. Hammond's mail including, but not limited to: Christmas cards, presents, packages, periodicals, newspapers, bills and checks.
5. Mr. Hammond has suffered infliction of emotional distress, interference with business relations, costs, attorney's fees and other out of pocket expenditures and inconvenience because of the arbitrary actions of the Goffstown Post Office.
6. There is no discretionary function or immunity exception; these rules/functions are mandatory rules of the United States Postal Service.

7. Beginning on or about December 18, 2006 the Goffstown Postal Office unilaterally terminated all delivery to Mr. Hammond's home and began seizing and destroying Mr. Hammond's mail ostensibly because the location of Mr. Hammond's mailbox for the past 100 years had suddenly become "unsatisfactory" and unsafe.
8. In turn, the Goffstown Postmaster demanded that the mailbox be relocated to the bottom of a 20 (twenty) foot snow pile where delivery would be obstructed all winter on Everett Road despite the fact there are numerous mailboxes that the Goffstown Post Office delivers mail to within spitting distance of Mr. Hammond's mailbox on Stark Highway and that Goffstown Mail vehicles have used Mr. Hammond's property as a turn around.
9. After congressional complaints, the Goffstown Post Office now claims that it has seized and destroyed thousands of dollars of *Mr. Hammond's mail because Mr. Hammond's mailbox is 3 (three) feet +/- away from where the Goffstown Postal employees would regard as an "acceptable" location.*
10. Meanwhile, Mr. Hammond's letter to the Goffstown Postmaster was ignored, and went without the courtesy of a response.
11. In no instance were proper United States Postal Service procedures followed.
12. Mr. Hammond was never offered a hearing, nor given information on how to obtain a hearing prior to the discontinuance of his mail service on the eve of Christmas 2006.
13. Mr. Hammond received correspondence dated November 21, 2006 from Sally A. Sutton, Supervisor Customer Services, Goffstown Post Office.
14. On December 7, 2006, Mr. Hammond responded by letter to Ms. Sutton, disputing her assertions and objecting to the discontinuance of his mail service.

15. On December 9, 2006, Marc A. Richer, Postmaster, responded to Mr. Hammond's prior correspondence in part, stating obviously irrelevant information, (ignoring the substance of Mr. Hammond's December 7, 2006 letter) but stating that he [Postmaster Mr. Richer] would "start holding your mail here at the Post Office".
16. Mr. Hammond took the Goffstown Postmaster at his written word per the December 9, 2006 letter from the Postmaster and Mr. Hammond reasonably assumed that his mail would be held and not destroyed or returned to sender(s) as "unclaimed, unable to forward" or other refused and containing inaccurate stampings.
17. That the mail that has been refused by the Goffstown Post Office and returned to sender has been done so virtually immediately, i.e. mail is automatically returned to sender as soon as received, not only in violation of Goffstown Postmaster Marc A. Richer's December 9, 2006 letter, but in defiance of mandatory U.S. Postal Regulations pertaining to the holding of mail.
18. In fact, Goffstown Postmaster Richer did not "hold" Mr. Hammond's mail, but instead destroyed and returned it after a short period of time during which he knew Mr. Hammond was out of town.
19. Mr. Hammond was not notified that his mail would be destroyed or returned to sender (thus causing confusion and alarm to the friends and family of Mr. Hammond that had their mail returned).
20. A primary intent of Congress in passing Postal Reorganization Act of 1970 was creation of Postal Service that would be more responsible to public need than its predecessor had been. Buchanan v. United States Postal Service, 375 F. Supp. 1014 (N.D. Ala. 1974) aff'd in part and vacated in part 508 F.2d 259 (5th Cir. Ala. 1975).

21. In no instance was required United States Postal procedure followed in Mr. Hammond's case (requiring at a minimum form 4506 Your Mailbox Needs Attention and other required forms).
22. Mr. Hammond's mailbox clearly physically complies with all of regulatory requirements for a "receptacle" and has been physically unchanged in all relevant aspects for at least 15 years.
23. POM 632.53 requires that "non-conforming" mailboxes be reported to the postmaster, and requires that "The postmaster sends a Form 4506". This was not done
24. There was no required 4506 created, filed or produced and despite requests by Mr. Hammond to the Goffstown Post Office to produce one, none has been produced to date.
25. As for the location of the mailbox, Mr. Hammond believes his mailbox has been located in the same location for approximately 100 years.
26. This is a clear case of obstruction of the mails by the Goffstown Postmaster Marc A. Richer and other Goffstown Postal Employees.
27. Disturbingly, letters such as those from Ms. Roy on behalf of the Postal Service dated May 2, 2007 have been the rule rather than the exception in this matter.
28. The May 2, 2007 letter from Ms. Roy contained at least six material misrepresentations of fact in connection with 18 U.S.C. 1341 from Mr. Hammond's perspective.
29. Elements of the offense under 18 U.S.C. § 1701 are (1) obstructing or retarding (2) passage of mail (3) willfully and knowingly. U.S. v. Fleming, 479 F.2d 56 (10th Cir. Okla. 1973).
30. Protection of mailed material from obstruction and delay does not end when material passes legitimately out of control of United States Postal Service but extends until mailed

material is physically delivered to person to whom it is directed or to his authorized agent; this is proper construction of term "the passage of the mail" in 18 USCS § 1701.

U.S. v Johnson, 620 F.2d 413 (4th Cir. N.C. 1980).

31. Passage of mail does not end when letter cannot be delivered but, rather, a letter is in "passage of mail" until it is returned to apparent sender. U.S. v. Rupert, 510 F. Supp 821 (M.D. Pa. 1981).

32. If the Postal Commission finds the complaint to be justified, it shall order that the Postal Service take such action as the Commission considers appropriate in order to achieve compliance with the applicable requirements and to remedy the effects of any noncompliance (such as ordering unlawful rates to be adjusted to lawful levels, ordering the cancellation of market tests, ordering the Postal Service to discontinue providing loss-making products, or requiring the Postal Service to make up for revenue shortfalls in competitive products).

33. In addition, in cases of deliberate noncompliance by the Postal Service with the requirements of this title, the Postal Regulatory Commission may order, based on the nature, circumstances, extent, and seriousness of the noncompliance, a fine (in the amount specified by the Commission in its order) for each incidence of noncompliance.

34. Mr. Hammond would assert that each day the Goffstown Post Office refuses to deliver mail to his home is an incident of noncompliance.

35. Any obstruction of mail, no matter how minor, if done willfully and with improper motives can constitute retardation. U.S. v. Austin, 492 F. Supp. 502 (N.D. Ill. 1980).

36. One need only view Mr. Hammond's property to understand that the Goffstown, New Hampshire's postmaster's actions are motivated not by following United States Postal Department policy, but pettiness and arbitrariness.
37. In addition to the arbitrariness of the action, Mr. Hammond was not given any information illustrating how he could dispute this matter, nor was Mr. Hammond even provided the courtesy of a reply, let alone a rational basis for the discontinuance of postal service to his home at Christmas time.
38. The closest thing Mr. Hammond has received as a justification for the discontinuance of postal service to his home has been under the guise of inaccurate and misleading references to POM Issue 9, July 2002, Delivery Services, DMM (Domestic Mail Manual) and the Postal Handbook M-38, (which was issued in 1980).
39. Despite Mr. Hammond's unanswered letter, it was only when Ed Corrigan of the U.S. Senate Steering Committee inquired on Mr. Hammond's behalf, that Katherine A. Sitterlie of the Postal Service claimed that certain postal regulations justified the treatment of Mr. Hammond and his mail delivery (or lack thereof).
40. Ms. Sitterlie's justifications did not address, or even mention procedures that could have stayed the harsh action of discontinuance of mail service while this matter was further investigated and appealed.
41. Ms. Sitterlie's justifications are frivolous, misleading, and inaccurate at best.
42. The current receptacle, which complies with all postal regulations and has been unchanged for 15 years and was, most notably put on its current post by the postal service itself.

43. As for the suddenly "unacceptable location" of the mailbox, it is located where it has been for at least a decade and despite the argument based on the Postal Handbook M-38's 433.1 that the paved area in front of Mr. Hammond's house constitutes a "private driveway", the post office did not regard Mr. Hammond's property as a "driveway" when it used Mr. Hammond's property turnaround and in fact, no dictionary or other legal or non-legal sources would define this pavement as a "driveway".
44. In decades of required inspections pursuant to Postal Regulations by the "postmaster or of a designee while accompanying the carrier on the route", this mailbox has never been cited or listed as "non conforming" for the past twenty seven (27) years at a bare minimum, since the adoption of the Management of Rural Delivery Service Handbook M-38 to the best of Mr. Hammond's knowledge.
45. Mr. Hammond has had to replace thousands of dollars of newspaper subscriptions that have been destroyed or returned as well as checks, Christmas cards, Christmas presents and other mail wrongfully refused, returned, or destroyed over the past three months, all without due process or an opportunity to be heard.

IV. Statement of the Grounds for Complaint

46. 39 U.S.C. Section 101 states in pertinent part:

"(a) The United States Postal Service shall be operated as a basic and fundamental service provided to the people by the Government of the United States, authorized by the Constitution, created by Act of Congress, and supported by the people. The Postal Service shall have as its basic function the obligation to provide postal services to bind the Nation together through the personal,

educational, literary, and business correspondence of the people. It shall

provide prompt, reliable, and efficient services to patrons in all areas and shall

render postal services to all communities. The costs of establishing and maintaining

the Postal Service shall not be apportioned to impair the overall value of such service

to the people." **(emphasis added)**

47. 39 U.S.C. Section 401 (10) states in pertinent parts:

"The Postal Service shall have the following general powers:

(10) to provide types of mail service to meet the needs of different

categories of mail and **mail users;**" **(emphasis added)**

48. 39 U.S.C. Section 403 General duties states in pertinent part:

"(b) It shall be the responsibility of the Postal Service-

(1) to maintain an efficient system of collection, sorting, and delivery of
the mail nationwide;

(2) to provide types of mail service to meet the needs of different
categories of mail and mail users;

(c) In providing services and in establishing classifications, rates, and fees
under this title, the Postal Service shall not, except as specifically
authorized in this title, make any undue or unreasonable discrimination
among users of the mails, nor shall it grant any undue or unreasonable
preferences to any such user.

49. 39 U.S.C. Section 3621 states in pertinent part as follows:

"... Postal rates and fees shall be reasonable and equitable and sufficient to
enable the Postal Service under honest, efficient, and economical management to

maintain and continue the development of postal services of the kind and quality adapted to the needs of the United States”

50. 39 U.S.C. Section 3661 Postal services states:

“(a) The Postal Service shall develop and promote adequate and efficient postal services.

(b) When the Postal Service determines that there should be a change in the nature of postal services which will generally affect service on a nationwide or nationwide basis, it shall submit a proposal, within a reasonable time prior to the effective date of such proposal, to the Postal Rate Commission requesting an advisory opinion on the change.

(c) The Commission shall not issue its opinion on any proposal until an opportunity for hearing on the record under sections 556 and 557 of title 5 has been accorded to the Postal Service, users of the mail, and an officer of the Commission who shall be required to represent the interests of the general public. The opinion shall be in writing and shall include a certification by each Commissioner agreeing with the opinion that in his judgment the opinion conforms to the policies established under this title.

51. 39 U.S.C. Section 3662 Rate and service complaints states:

“Interested parties who believe the Postal Service is charging rates which do not conform to the policies set out in this title or who believe that they are not receiving postal service in accordance with the policies of this title may lodge a complaint with the Postal Rate Commission in such form and in such manner as it may prescribe. The Commission may in its discretion hold hearings on such complaint. If

the Commission, in a matter covered by subchapter II of this chapter, determines the complaint to be justified, it shall, after proceedings in conformity with section 3624 of this title, issue a recommended decision which shall be acted upon in accordance with the provisions of section 3625 of this title and subject to review in accordance with the provisions of section 3628 of this title. If a matter not covered by subchapter II of this chapter is involved, and the Commission after hearing finds the complaint to be justified, it shall render a public report thereon to the Postal Service which shall take such action as it deems appropriate. (emphasis supplied)

52. A hearing may be held upon complaints of Inadequate service 39 U.S.C. 3662. Martin v. Sloan, 432 F. Supp. 616, 617 (W.D.N.C. 1977)
53. The United States Postal Service (also "U.S.P.S.") has arbitrarily and capriciously denied mail delivery to Complainant by denying Complainant mail service.
54. The United States Postal Service is not providing delivery services to Mr. Michael Hammond.
55. The United States Postal Service is hindering and restricting mail delivery to Michael Hammond by arbitrarily and capriciously limiting delivery mail service him based on the Postmaster's whim as to the mailbox location and destruction of Mr. Hammond's mail.
- 39 C.F.R. § 447.25 Other prohibited conduct. [Postal regulations provide for your dismissal based on your conduct, which is prejudicial to the Postal Service.]
- (a) [Redesignated as paragraph (c). See 60 FR 47241, 47244, Sept. 11, 1995.]
- (b) [Removed. See 60 FR 47241, 47244, Sept. 11, 1995.]

(c) No employee while acting in his official capacity shall directly or indirectly authorize, permit, or participate in any action, event or course of conduct which subjects any person to discrimination, or results in any person being discriminated against, on the basis of race, color, religion, sex, national origin, or age.

(d) No employee shall engage in criminal, dishonest, notoriously disgraceful or immoral conduct, or other conduct prejudicial to the Postal Service. Conviction of a violation of any criminal statute may be grounds for disciplinary action by the Postal Service in addition to any other penalty imposed by or pursuant to statute.

Title 39 U.S.C. § 3662, provides a statutory remedy for redress, which we fully intend to invoke. It provides for "Rate and service complaints

(a) In general. Any interested person (including an officer of the Postal Regulatory Commission representing the interests of the general public) who believes the Postal Service is not operating in conformance with the requirements of the provisions of sections 101(d), 401(2), 403(c), 404a, or 601 [39 USCS § 101(d), 401(2), 403(c), 404a, or 601], or this chapter [39 USCS §§ 3601 et seq.] (or regulations promulgated under any of those provisions) may lodge a complaint with the Postal Regulatory Commission in such form and manner as the Commission may prescribe.

(b) Prompt response required.

(1) In general. The Postal Regulatory Commission shall, within 90 days after receiving a complaint under subsection (a)--

(A) either--

(i) upon a finding that such complaint raises material issues of fact or law, begin proceedings on such complaint; or

(ii) issue an order dismissing the complaint; and

(B) with respect to any action taken under subparagraph (A) (i) or (ii), issue a written statement setting forth the bases of its determination.

(2) Treatment of complaints not timely acted on. For purposes of section 3663 [39 USCS § 3663], any complaint under subsection (a) on which the Commission fails to act in the time and manner required by paragraph (1) shall be treated in the same way as if it had been dismissed pursuant to an order issued by the Commission on the last day allowable for the issuance of such order under paragraph (1).

(c) Action required if complaint found to be justified. If the Postal Regulatory Commission finds the complaint to be justified, it shall order that the Postal Service take such action as the Commission considers appropriate in order to achieve compliance with the applicable requirements and to remedy the effects of any noncompliance (such as ordering unlawful rates to be adjusted to lawful levels, ordering the cancellation of market tests, ordering the Postal Service to discontinue providing loss-making products, or requiring the Postal Service to make up for revenue shortfalls in competitive products).

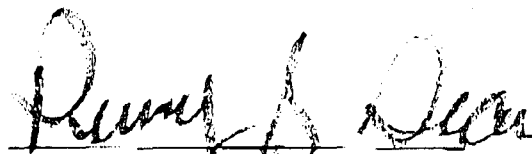
(d) Authority to order fines in cases of deliberate noncompliance. In addition, in cases of deliberate noncompliance by the Postal Service with the requirements of this title, the Postal Regulatory Commission may order, based on the nature, circumstances, extent, and seriousness of the noncompliance, a fine (in the amount specified by the Commission in its order) for each incidence of noncompliance. Fines resulting from the provision of competitive products shall be paid from the Competitive Products Fund established in section 2011 [39 USCS § 2011]. All

receipts from fines imposed under this subsection shall be deposited in the general fund of the Treasury of the United States. History: (Aug. 12, 1970, P.L. 91-375, § 2, 84 Stat. 764.) (As amended Dec. 20, 2006, P.L. 109-435, Title II, § 205, 120 Stat. 3216.)

V. Statement of Specific Relief or Redress

Complainant requests that the United States Postal Commission hold a hearing on this complaint and render a public report to the Postal Service and have said Postal Service require mail delivery for Michael Hammond to his mailbox as currently located, and to take such other actions as deemed appropriate and necessary to allow Michael Hammond to continue receiving mail at the same location as he has for several decades, as well as reimbursement for lost fees and subscriptions and the cost of checks and other replacement mail and costs, including attorney's fees for bringing this action and compensation for lost time, aggravation, and emotional distress.

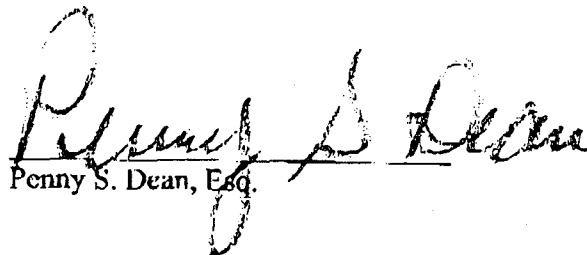
Respectfully Submitted,
Mr. Michael Hammond, Esq.
By his attorney,
Penny S. Dean, Esq.



Law Offices of Penny S. Dean
59 Warren Street
Concord, NH 03301
Phone (603) 230-9999
Facsimile (603) 226-4023
NH Bar No. 13838
penny@pennydean.com

Certificate of Service

I, Penny S. Dean do hereby certify that a true and correct copy of the above and foregoing complaint has been served by placing the same in the United States Mail with adequate first class postage attached, addressed as shown below on this the 2nd day of November, 2007.



Penny S. Dean, Esq.

Goffstown Postmaster Marc A. Richer
11 Church Street, #1
Goffstown, NH 03045-9998

Consumer Advocate
U.S. Postal Service
475 L'enfant Plaza SW RM 5801
Washington, DC 20260-2200

U.S. Postal Inspection Service
Operations Support Group
Two Gateway Ctr. 9th FL
Newark, NJ 07175-0001

POSTMASTER
GOFFSTOWN NH



November 21, 2006

Michael Hammond
1 Stark Hwy So
Dunbarton NH 03048

RE: Mailbox placement

Due to a change in the line of travel for delivery of your mail, we are requesting that you move your mailbox onto Everett Road. This move will also help to prevent potential safety issues from driving onto your private property. The mailbox can be placed near the corner of the barn, and please be sure to maintain 10' clear for the approach and egress for delivery purposes. As a reminder, the distance from the bottom of the mailbox to the ground should be 40-42".

You will be pleased to know that due to this realignment, you will now be receiving your mail in the morning!

Thank you in advance for your prompt attention to this matter. If you have any questions, please feel free to call the office.

Sincerely,


Sally A Sutton
Supervisor Customer Services

11 CHURCH ST
GOFFSTOWN NH 03046-9998
(803) 497-9807
FAX: (603) 497-9432

**Michael E. Hammond
One Stark Highway South
Dunbarton, New Hampshire 03046**

December 7, 2006

Ms. Sally Sutton
Post Office
Goffstown, New Hampshire 03045

Dear Ms. Sutton:

With respect to your letter, you should know that, while I am away in Washington on business during the winter, the town dumps all of the snow from Everett Road along the side of my property. This would mean that anything located there could be buried in snow for most of the winter.

In addition, the side of my barn is the only place where my own plow can place most of the snow from my parking area. As a result, in a year of moderate to heavy snow, any mailbox located there could be lodged at the base of a 20-foot mountain of snow.

Finally, as a result of litigation I pursued and as the signage at the entrance to Everett Road indicates, it is not permissible to use the road as a through road to Tucker Mill Road.

Sincerely,

Michael E. Hammond

POSTMASTER



December 9, 2008

Michael Hammond
1 Stark Hwy S
Dunbarton NH 03048

Mr. Hammond,

With respect to your letter, you should know that, while you are away in Washington on business during the winter, like all other postal customers, you should make arrangements to have the snow removed around your mailbox. Also, you should probably contact the town and request that they do not pile the snow up around your mail box.

Although you have pursued litigation making it not permissible to use Everett Road as a through road, the Postal Service has every right to drive down the road to service our customers on Everett Rd and Tucker Hill Rd and return.

As stated in a previous letter, effective on the 15th of December, I am no longer allowing my carrier to drive onto your personal property. Your box needs to be moved to Everett Rd. If not done by that date, I will be forced to start holding your mail here at the Post Office until this transpires.

If you have any questions or comments, please contact our consumer affairs department at 644-4162

A handwritten signature in black ink, appearing to read "Marc A. Richer".

Marc A. Richer
Postmaster
11 Church St #1
Goffstown NH 03045-9998

Cc: Consumer affairs
file

**Michael E. Hammond
One Stark Highway South
Dunbarton, New Hampshire 03046**

December 11, 2006

Mr. Mark A. Richer
Post Office
Goffstown, New Hampshire 03045

Dear Mr. Richer:

With respect to your letter, I would make these points:

We have talked to the town plowers, without any real success. As for my own plowers, this is the only place where they can dump a twenty foot high mountain of snow without flooding the basement of my house and threatening to collapse the already-deteriorating structure of my barn during spring thaw.

Shoveling out one's mailbox is a different proposition from forcing it to be placed where it is ~~most~~ likely to be buried, without hearing the facts or providing any semblance of legal due process -- particularly knowing that I will often not be in town to address the situation. Suffice it to say that the result would be an annual nightmare which would continue for the rest of my life.

The mailbox is where it has been for decades, perhaps centuries -- and is where it is because, most recently, your office put it there. The ground is now frozen, and, of course, next week would be the week when I would receive my Christmas cards and packages.

I would ask that, particularly during this holiday season, you please embrace compassion and decency -- and back away from threats to the customers who rely on you.

Sincerely,

Michael E. Hammond

**Michael E. Hammond
One Stark Highway South
Dunbarton, New Hampshire 03046**

February 10, 2007

Chairman James C. Miller III
U.S. Postal Service Board of Governors
475 L'Enfant Plaza Southwest
Washington, D.C. 02060

Dear Chairman Miller:

I have just learned that my postmaster in Goffstown, New Hampshire, Mr. Marc Richer, has, without notifying me, destroyed over \$1,000 worth of my mail.

Mr. Richer appears to have become obsessed with the fact that the historic location of my mailbox for decades, if not centuries -- and the location where the post office itself placed it -- is three feet away from where he now wants it to be.

But, rather than going through any semblance of due process, Richer:

- first, demanded that the mailbox be moved to a third location where, in even moderate years, it would be buried in a 20-foot mountain of snow -- with the only alternative being to plow the snow where it would collapse my already teetering 117-year-old landmark barn and flood the basement of my home;
- second, when I wrote him to call this to his attention, refused to answer my letter -- or to explain his intentions in view of the facts I had brought to light;
- third, seized all of my mail and, knowing that I was in Washington on business, destroyed over \$1,000 of it, including, but not limited to subscriptions for my business which I have now had to back-order; and
- fourth, has attempted to justify his actions, which have recently come to the attention of congressional offices, through misrepresentations.

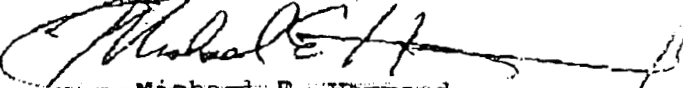
Chairman James C. Miller III
February 10, 2007
page two

As General Counsel to the U.S. Senate Steering Committee in 1982 and 1984, I was responsible for most of the parameters of the current federal criminal code in Title 18. And, as I know you are very well aware, destroying U.S. mail remains a very serious felony. Making misrepresentations in connection with the mail is also a crime. And there is no exception for a petty bureaucrat who decides to circumvent process for the purpose of bolstering his own ego.

I would hope that disciplinary and compensatory action would be taken to put an end to this criminal behavior and to insure that it doesn't happen again, in Goffstown or elsewhere.

Thank you for anything you can do for me.

Sincerely,



Michael E. Hammond